

ADMINISTRATION IN POLICY ABSENCE

The Superintendent of Schools shall have the power and the duty to take appropriate and lawful action consistent with overall Board policy in those situations and circumstances in which the Board of Education has not enacted a written policy. The Superintendent shall inform the Board of such action, and shall advise the Board when there is a need for a policy to cover such situation.

Nothing contained herein authorizes the Superintendent of Schools to take an action which is exclusively reserved to the Board of Education and which is by law non-delegable.

Reference

Matter of Cohoes City School Dist. v. Cohoes Teachers Ass'n,
40 NY2d 794 (1976)